

ORIGINAL

cc: Filer only

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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

NOV 25 2020

at 2 o'clock and 30 min. P M  
MICHELLE RYNNE, CLERK

No fee } SUBM. LS  
No 1 fee }

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

CV20 00514 LEK KJM

ALICIA NAPUAONALANI HUEU  
(Plaintiffs)

v.

STATE OF HAWAII  
(Defendants)

- ) Case No. 2CPC-20-0000237
- )
- ) Notice of Removal under:
- ) Title 28 USC §1455 Procedure for removal
- ) of criminal prosecutions and Title 28 USC
- ) §1331 Federal question
- )
- ) Certificate of service under rule 60(b)
- )

Received By Mail

Date 11/25/2020

LS

Mailed On

Date 11/27/2020

LS

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A) Notice of removal of criminal proceedings under Title 28 USC §1455 and §1331.

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B) Case background and grounds for removal from criminal prosecution in State Courts.

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C) True and correct copy of summons, complaints, process, pleadings and orders.

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D) Certificate of service under rule 60(b).

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NOTICE OF REMOVAL OF CRIMINAL PROSECUTION

UNDER TITLE 28 USC §1455

Pursuant to Title 28 USC §1455 Procedure for removal of criminal prosecutions and Title 28 USC §1331 Federal question arising under the Constitution, Laws or Treaties of the United States such as:

- U.S. Constitutional laws Article 1 §8, Article 6 Clause 2.
- U.S. Federal laws Title 28 USC §1330, §1332, §1391(f), §1441(d), §1602-§1611 Foreign Sovereign Immunities Act, Title 28 USC §509B Human Rights Enforcement Act, Title 18 USC §2441 War Crimes Act and Title 18 USC §1091 Proxmire Act / Genocide
- and ratified Treaties to which the United States is a signatory of 1949 Geneva Conventions Treaty, 1907 Hague Conventions Treaty and Kamehameha III 1850 Treaty of friendship, commerce and navigation.

I, Alicia Napuaonalani Hueu a foreign national, foreign subject and or foreign citizen not belonging to the United States of America hereby files this Notice of removal of criminal prosecution from Judge Peter T. Cahill in the STATE OF HAWAII DISTRICT COURT OF THE SECOND CIRCUIT to the UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII. In support of this Notice of Removal of criminal prosecution, I Alicia Napuaonalani Hueu, states as follows:

CASE BACKGROUND AND GROUNDS FOR REMOVAL FROM CRIMINAL  
PROSECUTION UNDER TITLE 28 USC §1455

1. On or about January 4th, 2020 I, Alicia Napuaonalani Hueu a Hawaiian National and other Hawaiian Nationals with me were apprehended and detained by the Maui Police Department agents for violations of Hawaii Revised Statutes (HRS) Criminal Trespass 1 and Unauthorized Entry into a Dwelling II.
2. I Alicia Napuaonalani Hueu and other Hawaiian Nationals while being apprehended and detained by Maui Police Department clearly stated by verbal communication to arresting MPD officers that we were surrendering as Prisoners of War under the 1949 Geneva Conventions Treaty and that we were not U.S. Citizens / U.S. Nationals belonging to the United States / State of Hawaii.
3. I Alicia Napuaonalani Hueu was then made aware and served documents after being released on my own recognizance, notifying me that the STATE OF HAWAII had commenced an action for criminal prosecution against me in the STATE OF HAWAII DISTRICT COURT OF THE SECOND CIRCUIT for Criminal Trespass 1 and Unauthorized Entry into a Dwelling II.

4. In first STATE OF HAWAII court appearance on 03-06-20 in the HANA COURTHOUSE, the STATE OF HAWAII declined to prosecute me for Criminal Trespass 1 and Unauthorized Entry into a Dwelling II.
5. On 08-21-2020, I Alicia Napuaonalani Hueu, was apprehended and detained by the Maui Police Department agents by way of a warrant for violations of Hawaii Revised Statutes (HRS) Burglary 1, Theft 1, Telecommunication Service Fraud 1, Criminal Property Damage 4, Extortion 1, Riot, Obstructing Government Operations, Refuse Right of Way and Criminal Littering related to my initial arrest that occurred on 01-04-20 in the Kukuiula Ahupuaa.
6. On 09-15-20 I, Alicia Napuaonalani Hueu myself declared a Hawaiian National in dispute to Kaumaia Real Property / Estate known as Kukuiula Ahupuaa made clear to Hawaii State Judge Peter T. Cahill on court record that we the accused are Hawaiian Nationals and not U.S. Citizens and that the retention of Jurisdiction by STATE OF HAWAII over us Hawaiian Nationals not belonging to the United States is a violation of ratified Treaties and International agreements to which the United States is a signatory of such as the 1949 Geneva Conventions Treaty and Kamehameha III 1850 Treaty of friendship, commerce and navigation under Article 6 Clause 2 and Article 1 §8 of the United States Constitution.



7. True and correct copies of Summons, complaints, motions and pleadings is attached in Exhibit A.

8. This court has original jurisdiction over this matter pursuant to U.S. Federal Law Title 28 USC §1455 and §1331.

9. Venue is proper in this Court because the State Court Action is pending in "HAWAII".

This court also has original jurisdiction over this matter pursuant to the provisions of Title 28 U.S.C. §1455 (a)Notice of Removal.— A defendant or defendants desiring to remove any criminal prosecution from a State court shall file in the district court of the United States for the district and division within which such prosecution is pending a notice of removal signed pursuant to Rule 11 of the Federal Rules of Civil Procedure and containing a short and plain statement of the grounds for removal, together with a copy of all process, pleadings, and orders served upon such defendant or defendants in such action. Title 28 USC §1455 (b)Requirements.— (1) A notice of removal of a criminal prosecution shall be filed not later than 30 days after the arraignment in the State court, or at any time before trial, whichever is earlier, except that for good cause shown the United States district court may enter an order granting the defendant or defendants leave to file the notice at a later time. As well as pursuant to Title 28 USC §1331 federal question. "The District Courts shall have original jurisdiction of all civil actions arising under the Constitution, Laws, or Treaties of the United States".

10. This Notice is timely filed, see Title 28 USC §1455(b)(1).

11. A Notice of Filing of Notice of Removal of criminal prosecution to Federal Court (attached as EXHIBIT B) will be filed in the IN THE DISTRICT COURT OF THE SECOND CIRCUIT, “STATE OF HAWAII” State Criminal Court proceedings as soon as this Notice of Removal of criminal prosecution has been filed in this UNITED STATES DISTRICT COURT for HAWAII.

### CONCLUSION

Pursuant to the Provisions of U.S. Federal Law Title 28 U.S.C. §1331 and Title 28 USC §1455(a) & (b)(1) this court has Jurisdiction over Plaintiffs’ (Previous Defendants) claims. Defendants (Now Plaintiffs) are therefore entitled to remove this case to this Court pursuant to Title 28 U.S.C. §1455 and §1331.

Wherefore, I Alicia Napuaonalani Hueu a foreign national, subject and or citizen not belonging to the United States humbly prays that the action now pending before Judge Peter T. Cahill in the “STATE OF HAWAII, DISTRICT OF THE SECOND CIRCUIT” Case No. 2CPC-20-0000237 be removed to this United States District Court for Hawaii.

TRUE AND CORRECT COPIES

Attached behind page 9 is Exhibit A, true and correct copies of pleadings, motions, process, complaint and orders involved in Case No. 2CPC-20-0000237.



CERTIFICATE OF SERVICE UNDER RULE 60(B)

I Alicia Napuaonalani Hueu a foreign national, citizen and or subject not belonging to the UNITED STATES OF AMERICA duly swears under oath to have served a true and correct copy of this Notice of Removal of criminal proceedings in STATE OF HAWAII DISTRICT COURT OF THE SECOND CIRCUIT to the UNITED STATES DISTRICT COURT for Hawaii under U.S. Federal Law Title 28 USC §1455, §1331 and to Attorneys for Plaintiffs STATE OF HAWAII Deputy prosecuting attorney ROBERT D. RIVERA and COUNTY OF Maui Prosecuting Attorney MICHAEL S. KAGAMI on November 24, 2020 via certified mail Fed Ex or UPS.



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Alicia Napuaonalani Hueu

Dated November 24, 2020